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PATENT APPLICATION

**RESPONSE AFTER FINAL REJECTION
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 2164**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re the Application of

Mikio AOKI et al.

Group Art Unit: 2164

Application No.: 09/892,887

Examiner: R. Weisberger

Filed: June 28, 2001

Docket No.: 109953

For: DATA OUTPUT CONTROL APPARATUS

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

In reply to the November 20, 2002 Office Action, the period for response being extended by the attached Petition for Extension of Time, reconsideration of the above-identified application is respectfully requested in light of the following remarks.

Claims 1-14 are pending. Reconsideration based on the following remarks is respectfully requested.

I. The Claims Satisfy the Requirements of 35 U.S.C. §112, First Paragraph

The Office Action rejects claims 1-14 under 35 U.S.C. §112, first paragraph, as based on disclosure which is not enabling. Specifically, the Office Action asserts that a data output control apparatus comprising a means for receiving a print request from a portable device is critical or essential to the practice of the invention, not included in the claims, and not enabled by the disclosure. This rejection is respectfully traversed.

A means for receiving a print request from a portable device is realized by an I/F, a CPU, a control program, a ROM, a RAM, etc. This disclosure is provided in paragraphs [0090] to [0100] of the specification, and Figs. 5 and 6 which concern the data output control terminal 300.

Specifically, these paragraphs and figures of the specification disclose that CPU 50 activates a predetermined program stored in ROM 52 to execute, according to the program, data output control processes shown in Fig. 6. Further, the specification discloses that data output control processes obtained, from a WWW server DS, print data associated with the data print request from the portable terminal 100, selects one of the printing apparatus, and outputs the print data obtained to the selected printer. Further, the portable terminal 100 uses print services provided by the data output control terminal 300.

The features of a data output control apparatus including a means for receiving a print request is fully supported by the specification so that the rejection of claims 1-14 under 35 U.S.C. §112, first paragraph, is improper. For at least these reasons, it is respectfully submitted that claims 1-14 satisfy the requirements of 35 U.S.C. §112, first paragraph. Withdrawal of the rejection under 35 U.S.C. §112, first paragraph, is respectfully requested.

II. Conclusion

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,



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Attachment:

Petition for Extension of Time

Date: April 18, 2003

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